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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/705,761	11/10/2003	Matt Clark	109927-135182	4380

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EXAMINER	
WOO, ISAAC M	

ART UNIT	PAPER NUMBER
2166	

DATE MAILED: 06/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/705,761	CLARK ET AL.	
	Examiner	Art Unit	
	Isaac M. Woo	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10 November 2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-13* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-13* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *10 November 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. This action is response to the application filed, on November 10, 2003. Claims 1-13 are presented for examination.

Claim Objections

2. Claims 4 and 13 are objected to because of the following informalities:

"additionaly concepts", in line 2 of claim 4, should be -- additional concepts - -;

"Claims 1", in line 3 of claim 13, should be -- Claim 1 --;

Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 and 3-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Asami et al (U.S. Patent. No. 6,434,554, hereinafter, "Asami").

With respect to claim 1, Asami teaches a computer-implemented method for gathering data service request concepts (i.e., combining query element for creating complete query statement, col. 8, lines 8-18) in a client-server environment (i.e., query device, 250 in fig. 1 (310 in fig. 2) is client and database management system, 200 in fig. 1 is server, (300 in fig. 2), col. 5, lines 14-24, col. 5, lines 62-67 to col. 6, lines 1-2, col. 6, lines 11-24), Asami teaches self-providing on a client device (i.e., query device's (250 in fig. 1 (310 in fig. 2)) screen display, 1200 in fig. 11, col. 9, lines 40-43, col. 6, lines 11-24), a client-side feature tree having a plurality of concepts (i.e., NewspaperArticles in list of tables, 1210 in fig. 11 includes subset (tree structure relation) of list of columns, 1220 that is search component concept input interface, col. 9, lines 40-56); Asami teaches self-depicting on the client device (i.e., 1200 in fig. 11, col. 9, lines 40-43), a first set of user interface components (i.e., list of columns, 1220 fig. 11) corresponding to one or more of the concepts (i.e., list of columns is search condition component concept, 1220 in fig. 11, col. 9, lines 40-67 to col. 10, lines 1-12); Asami teaches self-facilitating by a user of the client device, selection of a first user interface component (i.e., Article:SGMLText from list of columns, 1220 in fig. 11, is selected) from the first set of user interface components (i.e., from list of columns, 1220 fig. 11) to traverse the client-side feature tree (i.e., list of columns',1220, pull-down menu is traversed in fig. 11, col. 10, lines 5-23); Asami teaches self-depicting on the client device, a second set of user interface components (i.e., baseball, 1301 and headline, 1302 from 1230 in fig. 11) corresponding to one or more of concepts traversed

to in the client-side feature tree (i.e., list of columns is traversed and headline is displayed for search component concept of in the second set of user interface (1230) in fig. 11, col. 10, lines 5-23); Asami teaches self-facilitating by a user of the client device, selection of a second user interface component from the second set of user interface components (i.e., 1230 in fig. 11) (i.e., the component of headline is selected by user by clicking query statement generation button, 1303 in fig. 11, col. 10, lines 17-29); Asami teaches self-forming on the client device a combined concept set (i.e., generated combined query statement (article plus headline) is displayed in1434 in fig. 12) comprising concepts corresponding to the first user interface component (i.e., Article of list of columns, 1220 in fig. 11) and the second user interface component (headline (1302) of 1230 in fig. 11), (i.e., Article from the first user interface component and headline from the second user interface component are combined and displayed on 1434 in fig. 12 for query statement, col. 10, lines 5-29).

With respect to claim 3, Asami teaches submitting the combined concept (i.e., 1434 in fig. 12) set to a remote server (i.e., database management system 200 in fig. 1) (i.e., combined query statement are issued to database management system, col. 8, lines 7-18).

With respect to claim 4, Asami teaches dynamically adding additional concepts to the client-side feature tree in response to submitting the combined concept set (i.e., list

of columns is added when data definition is added for new query component, col. 5, lines 14-38).

With respect to claim 5, Asami teaches retrieving client-side data (i.e., headline is retrieved from list of columns (client-side data) in fig. 11, col. 10, lines 5-23).

With respect to claim 6, Asami teaches the client-side data comprises data describing the first user interface component (i.e., headline describes the article text of list of columns, fig. 12, col. 10, lines 5-37).

With respect to claim 7, Asami teaches the client-side data comprises data describing possible values for the concepts (i.e., Dateofpublication : date (value) in fig. 12, col. 10, lines 5-37).

With respect to claim 8, Asami teaches the combined concept set is formed as a traversable structure with accessible concepts (i.e., query statement, sql, col. 4, lines 49-60).

With respect to claim 9, Asami teaches accessing the combined concept set at one of the accessible concepts (i.e., query statement for database accessing, sql, col. 4, lines 49-60).

With respect to claim 10, Asami teaches creating a new combined concept set by selecting a third user interface component (i.e., baseball, 1301 in fig. 11) corresponding to an alternate concept (i.e., alternate concept of baseball from user interface 1301 in fig.11, generating combined query statement, 1434 in fig. 12, col. 10, lines 5-37).

With respect to claim 11, Asami teaches a computer readable medium containing computer executable instructions (i.e., program recorded on cd-rom, col. 6, lines 3-10) for programming a client device (i.e., query device, 250 in fig. 1) with communication capabilities (i.e., query to database management system, col. 6, lines 3-10) for perform the actions of the method of any of claims 1-3, 5 and 8 on the client device (i.e., claim 11 is computer readable medium claim and considered as independent claim that performs action of method of any of claims 1-3, 5 and 8. Claims 1-3, 5 and 8 are rejected above. Thus, this claim is rejected on that basis).

With respect to claim 12, Asami teaches an apparatus having a processor (i.e., cpu, 400 in fig. 3) and a memory (i.e., memory, 402 in fig. 3) coupled to each other, and the memory containing computer executable instructions operative (fig. 2-3, col. 6, lines 11-67) to perform the actions of the method of any of claims 1-3, 5 and 8 (i.e., claim 12 is apparatus claim and considered as independent claim that performs action of method of any of claims 1-3, 5 and 8. Claims 1-3, 5 and 8 are rejected above. Thus, this claim is rejected on that basis).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al (U.S. Patent. No. 6,434,554, hereinafter, "Asami") in view of Van et al (U.S. Patent No. 6,449,633, hereinafter, "Van").

With respect to claim 2, Asami discloses the claimed subject matter as discussed above except XML description. However, Van teaches XML is used to describe data objects (col. 1, lines 34-56). Therefore, based on Asami in view of Van, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to utilize the teaching of the Van to the system of Asami in order to provide standard markup language for representing documents (col. 1, lines 34-56).

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Asami et al (U.S. Patent. No. 6,434,554, hereinafter, "Asami") in view of Hasegawa et al (U.S. Pub. No. 2002/0056117, hereinafter, "Hasegawa").

With respect to claim 13, Asami teaches an apparatus (i.e., query device 310, in fig. 2) having a communication interface (i.e., network, 305 in fig. 2), a processor (i.e., cpu, 400 in fig. 3) and a memory (i.e., memory, 402 in fig. 3) coupled to each other, and the memory containing computer executable instructions operative to perform the actions of the method of claim 1 (i.e., claim 1 is rejected above, fig. 2-3, col. 6, lines 11-67). Asami does not explicitly disclose the apparatus is a wireless mobile phone, further comprising a communication interface. However, Hasegawa teaches the apparatus is a wireless mobile phone (i.e., portable data terminal, mobile phone, 4b, fig. 1, page 2, sections 0027-0029, page 3, section 0048) and communication interface (i.e., communication interface 25 in fig. 2, page 3, section 0048). Therefore, based on Asami in view of Hasegawa, it would have been obvious to a person having ordinary skill in the art at the time of the invention was made to utilize the teaching of the Hasegawa to the system of Asami in order to provide communication network for portable communication device in wireless communication environment.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Isaac M. Woo whose telephone number is (571) 272-4043. The examiner can normally be reached on 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain T. Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Isaac Woo
June 6, 2006